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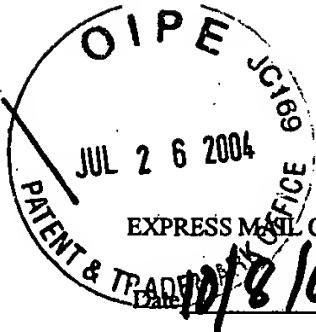
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Date 10/8/03 Label No. EL9821028564

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A. Stantini A. Stantini

Name (Print)

Signature

Customer No.: 32801

Docket No: 0630/1G703-US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mark J. EVANS et al.

Serial No.: 09/924,946

Art Unit: 1652

Confirmation No.: 3104

Filed: August 8, 2001

Examiner: Michael C. Wilson

For: **A NOVEL MEMBER OF THE LYSYL OXIDASE GENE FAMILY**

DECLARATION UNDER 37 C.F.R. § 1.131

Mail Stop Non-Fee Amendments
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We, Mark J. EVANS, Marshall S. SCICCHITANO, Ashok R. BAPAT, Ramesh A. BHAT, Robert MASTROENI, and Sotirios K. KARATHANASIS hereby declare and state as follows:

Serial No. 09/924,946

Docket No. 0630/1G703-US2

Page 1

{M:\0630\1g703\00020846.DOC *06301G703* }

1. Mark J. Evans, Marshall S. Scicchitano, Ashok R. Bapat, Ramesh A. Bhat, and Robert Mastroeni are citizens of the United States, and Sotirios K. Karanthanasis is a citizen of Greece. We are more than twenty-one years of age.

2. We are the inventors of the above-identified application.

3. We re-affirm our duty of candor and good faith in dealing with the Office, including the duty to disclose to the Office all information known to be material to the patentability of the invention as defined in 37 C.F.R. § 1.56.

4. We have read and are familiar with the instant application as it was filed in the U.S. Patent and Trademark Office.

5. We have read and are familiar with the reference of Meyers U.S. Publication 2002/0068322 entitled "47765, A Novel Human Lysyl Oxidase and Uses Thereof" published June 6, 2002 and which claims priority to May 26, 2000 (hereinafter the "Meyers reference").

6. Prior to May 26, 2000, the effective date of the Meyers reference, we had conceived and completed the invention as described and claimed in the subject application.

7. As evidence that our work antedates the Meyers reference, we refer to Exhibit 1. Dates, along with privileged information, appearing in this document have been redacted. Exhibit 1 documents the conception and reduction to practice of our invention at a time prior to May 26, 2000. Specifically, page 1 of Exhibit 1 shows that we had the clone D3E11 in our possession at a time prior to May 26, 2000 and that this clone had a cDNA insert of the expected size for a full length EER-7. Pages 2-3 of Exhibit 1 show that we had obtained

the full-length nucleotide sequence of EER-7 at a time prior to May 26, 2000. The documents submitted herewith as Exhibit 1 were created at a time prior to May 26, 2000.

8. We further declare that all statements made herein of our own knowledge are true, and that all statements made on information and belief are believed to be true. We further declare that these statements are made with the knowledge that the willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States code, and that such willful false statements may jeopardize the validity of the instant application or of any patent issued thereupon.

Respectfully submitted,

8/7/03
DATE


Mark J. EVANS

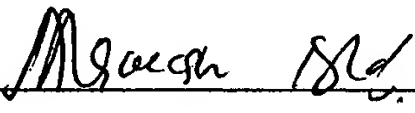
DATE

Marshall S. SCICCHITANO

8/10/03
DATE


Ashok R. BAPAT

8/11/03
DATE


Ramesh A. BHAT

8/11/03
DATE


Robert MASTROENI

DATE

Sotirios K. KARATHANASIS

the full-length nucleotide sequence of EER-7 at a time prior to May 26, 2000. The documents submitted herewith as Exhibit 1 were created at a time prior to May 26, 2000.

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Respectfully submitted,

DATE

8/7/03

DATE

DATE

DATE

DATE

DATE

Mark J. EVANS

Marshall S. Scicchitano

Marshall S. SCICCHITANO

Ashok R. BAPAT

Ramesh A. BHAT

Robert MASTROENI

Sotirios K. KARATHANASIS

Page No. _____

Supernatant conc obtained multiple sequences from EER-7
 placenta clone 6605

Transform EER7 placenta 6605 in DH5α
 EER7 placenta D3E11

Individual transformant streaked out

Individual colony of each inoculated into 250 ml LB + amp

Plasmid Prep by GigaGen

Resuspended in 100 μl TE

Digest 2 μg each with EcoRI + SalI

* SELF TEST *
 COMPLETED

ID# : TST22
 ABS RATIO
 RUN TIME 0.2 MIN

260 280.0NM
 MINUTES 1 123.048
 0.0
 RATIO 1.796

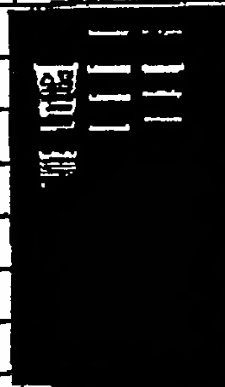
D3E11

TST22
 RATIO
 TIME 0.2 MIN

260.0NM 280.0NM
 MINUTES ABS 1 0.070 ABS 2 0.040
 0.0
 DATA 1 745

6605

6605 D3E11



To Page No. _____

ed & Understood by me,

Karnish

Date

Invented by

M. J. Lee

Date

Recorded by

D3E11 cDNA.seq

Reverse Complement DNA Sequence D3E11 complete sequence.SEQ(1,4278)

Created:

10 20 30 40 50 60 70
GCTGGGCTTCCCCAGCGAGGTGCCTGTCGACAGCCACTACTACAGGAAAGTCTGGGATCTGAAGATGAGG 70
GACCCTAAGTCTAGGCTGAAGAGCCTGACGAATAAGAACTCCTTCTGGATCCACCAGGTCACCTGCCTGG 140
GGACAGAGCCCCACATGGCCAACTGCCAGGTGCAGGTGGCTCCAGCCCCGGGGCAAGCTGCGGCCAGCCTG 210
CCCAGGTGGCATGCATGCTGTGGTCAGCTGTGTGGCAGGGCCTCACTTCCGCCACCGAAGACAAAGCCA 280
CAACGCAAAGGGTCCTGGGCAGAGGAGCCGAGGGTGCGCCTGCGCTCCGGGGGCCCATGTGGGCGAGGGCC 350
360 370 380 390 400 410 420
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710 720 730 740 750 760 770
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1060 1070 1080 1090 1100 1110 1120
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CCTACCGGCATGACATTGATTGCCAGTGGGTGGATATCACAGATGTGGGCCCCGGGAATTATATCTTCCA 1470
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D3E11 cDNA.seq

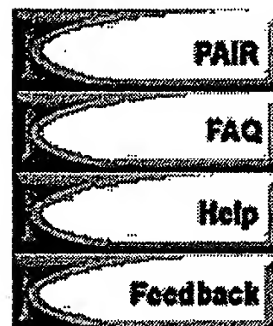
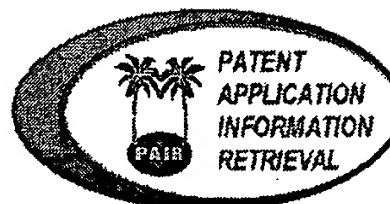
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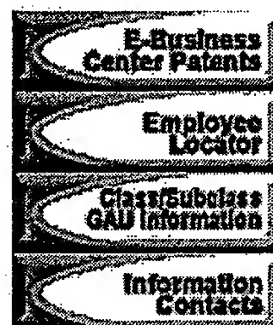
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PATENT APPLICATION INFORMATION RETRIEVAL



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Search results for publication number:US 2003-0059919 A1			
Application Number:	10/160,501	Customer Number:	-
Filing or 371(c) Date:	05-30-2002	Status:	Docketed New Case - Ready for Examination
Application Type:	Utility	Status Date:	01-22-2003
Examiner Name:	PATTERSON, CHARLES L JR	Location:	ELECTRONIC
Group Art Unit:	1652	Location Date:	09-17-2003
Confirmation Number:	9586	Earliest Publication No:	US 2003-0059919 A1
Attorney Docket Number:	MNI-250	Earliest Publication Date:	03-27-2003
Class/ Sub-Class:	435/001.1	Patent Number:	-
First Named Inventor:	Rachel Meyers, Newton, MA (US)	Issue Date of Patent:	-
Title Of Invention:	Novel human 39228, 21956, 25856, 22244, 8701, 32263, 50250, 55158, 47765, 62088, 50566, and 48118 molecules and uses therefor		

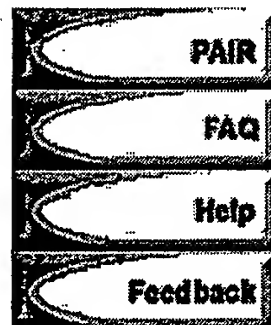
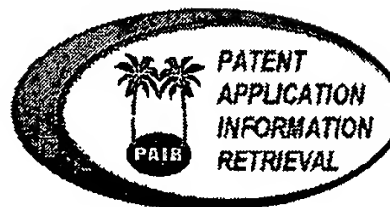
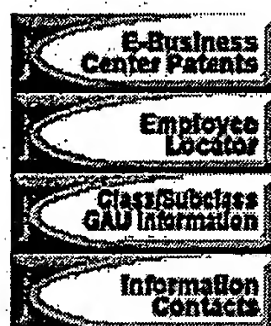
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Parent Continuity Data			
Description	Parent Number	Parent Filing or 371(c) Date	Parent Status
This application is a Continuation-in-part of	09/838,573	04-18-2001	Pending
Which claims benefit of Provisional Application	60/197,747	04-18-2000	Abandoned
Which is a Continuation-in-part of	09/870,133	05-29-2001	Abandoned
Which claims benefit of Provisional Application	60/207,649	05-26-2000	Abandoned
Which is a Continuation-in-part of	09/870,130	05-29-2001	Abandoned
Which claims benefit of Provisional Application	60/207,640	05-26-2000	Abandoned
Which is a Continuation-in-part of	09/862,535	05-21-2001	Abandoned
Which claims benefit of Provisional Application	60/205,961	05-19-2000	Abandoned
Which is a Continuation-in-part of	09/870,383	05-29-2001	Abandoned
Which claims benefit of Provisional Application	60/207,506	05-26-2000	Abandoned
Which is a Continuation-in-part of	09/860,821	05-18-2001	Abandoned
Which claims benefit of Provisional Application	60/205,449	05-19-2000	Abandoned

Which is a Continuation-in-part of	09/870,110	05-29-2001	Abandoned
Which claims benefit of Provisional Application	60/207,650	05-26-2000	Abandoned
Which is a Continuation-in-part of	09/907,509	07-16-2001	Abandoned
Which claims benefit of Provisional Application	60/218,385	07-14-2000	Abandoned



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Search results for application number:60/205,449			
Application Number:	60/205,449	Customer Number:	-
Filing or 371(c) Date:	05-19-2000	Status:	Provisional Application Expired
Application Type:	Provisional	Status Date:	09-22-2001
Examiner Name:	NOT, DEFINED	Location:	FILE REPOSITORY (FRANCONIA)
Group Art Unit:	-	Location Date:	06-01-2001
Confirmation Number:	8157	Earliest Publication No:	-
Attorney Docket Number:	MNI-159-1	Earliest Publication Date:	-
Class/ Sub-Class:	XXX/XXXXX	Patent Number:	-
First Named Inventor:	Rosana Kapeller-Libermann, Chesnut Hill, MA	Issue Date of Patent:	-
Title Of Invention:	55158, a novel human carbonic anhydrase and uses thereof		

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Continuity Data ☒

Search

File History		
Number	Date	Contents Description
5	09-22-2001	Set Application Status
4	06-30-2000	Application Dispatched from OIPE
3	06-30-2000	Correspondence Address Change
2	06-08-2000	IFW Scan & PACR Auto Security Review
1	05-19-2000	Initial Exam Team nn

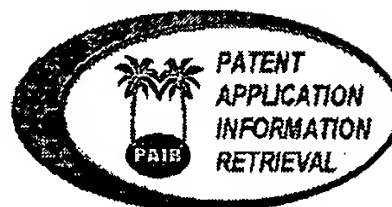
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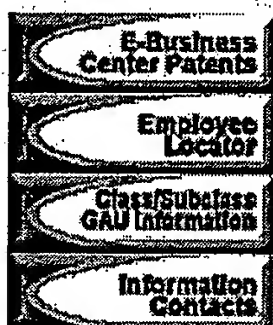
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Search results for application number:60/197,747			
Application Number:	60/197,747	Customer Number:	-
Filing or 371(c) Date:	04-18-2000	Status:	Provisional Application Expired
Application Type:	Provisional	Status Date:	09-22-2001
Examiner Name:	NOT, DEFINED	Location:	FILE REPOSITORY (FRANCONIA)
Group Art Unit:	-	Location Date:	04-30-2002
Confirmation Number:	5083	Earliest Publication No:	-
Attorney Docket Number:	MNI-143-1	Earliest Publication Date:	-
Class/ Sub-Class:	XXX/XXXXX	Patent Number:	-
First Named Inventor:	Rachel Meyers, Newton, MA	Issue Date of Patent:	-
Title Of Invention:	39228, a novel human alcohol dehydrogenase and uses therefor		

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File History		
Number	Date	Contents Description
5	09-22-2001	Set Application Status
4	06-22-2000	Application Dispatched from OIPE
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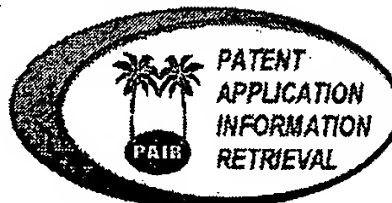
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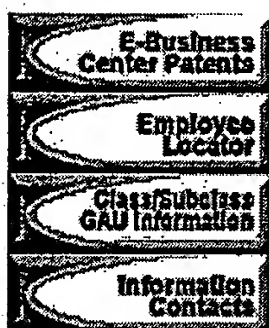
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Search results for application number:60/205,961			
Application Number:	60/205,961	Customer Number:	-
Filing or 371(c) Date:	05-19-2000	Status:	Provisional Application Expired
Application Type:	Provisional	Status Date:	09-22-2001
Examiner Name:	NOT, DEFINED	Location:	FILE REPOSITORY (FRANCONIA)
Group Art Unit:	-	Location Date:	05-31-2001
Confirmation Number:	2848	Earliest Publication No:	-
Attorney Docket Number:	MNI-157-1	Earliest Publication Date:	-
Class/ Sub-Class:	XXX/XXXXX	Patent Number:	-
First Named Inventor:	Rachel Meyers, Newton, MA	Issue Date of Patent:	-
Title Of Invention:	32263, a novel human biotin enzyme and uses therefor		

Select Search Option

Continuity Data ☒

Search

File History		
Number	Date	Contents Description
5	09-22-2001	Set Application Status
4	08-08-2000	Application Dispatched from OIPE
3	08-08-2000	Correspondence Address Change
2	06-12-2000	IFW Scan & PACR Auto Security Review
1	05-19-2000	Initial Exam Team nn

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